

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	<b>09/436,347</b>	Group Art Unit:	1643
Confirmation No.:	6491	Examiner:	A.M. Harris
Filed:	9 November 1999		
Inventor:	Christine A. WHITE <i>et al.</i>		
For:	Treatment of Chronic Lymphocytic Leukemia using Anti-CD20 Antibodies (as amended)		

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31(a)**

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Primary Examiner mailed 17 July 2007, rejecting claims 29-98.

It appears that the outstanding Office action may have been final. *See* reply filed 7 August 2007 at page 10. Applicant renews its request as stated in that paper that the Office clarify the status of the July 2007 action.

The Office action mailed 17 July 2007 set a 3-month period for response. As this notice is filed within the stated period, it is timely.

Applicant requests that the Director debit the appeal fee (**\$510**, § 41.20(b)(1)) from our Deposit Account No. **18-1260**. Any other fees required to render this notice timely or proper may be charged to the same account.

Respectfully submitted,

/David L. Fitzgerald/

David L. Fitzgerald, Reg. No. 47,347  
Attorney for Biogen Idec Inc.

SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, DC 20005  
tel. (202) 736-8818  
fax (202) 736-8711